

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Marc A. Mandro, Larry B. Gray  
Application No.: 10/625,792  
Filed: July 23, 2003  
For: Optical Displacement Sensor for Infusion Devices

Group No.: 2878  
Examiner: Lee, P.J

**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the final rejection by the Primary Examiner, mailed October 3, 2006, for a second time rejecting claims 1-20 and now also objecting to the word "therebetween," which we respectfully maintain is a valid English word and note that it is included in the claims of no less than 206,736 U.S. patents and in the specifications of no less than 400,994 U.S. patents issued between 1976 and the present (based on "quick" searches of the U.S. Patent Database).

**1. STATUS OF APPLICANT**

This application is on behalf of a large entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Large entity	\$500.00
Notice of Appeal fee due	\$500.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

<b>Fee</b>	<b>\$450.00</b>
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If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request	\$450.00
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**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$500.00
Extension fee	\$450.00
<b>TOTAL FEE DUE</b>	<b>\$950.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$950.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: March 5, 2007

/Jeffrey T. Klayman/

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